

REMARKS

This communication is a full and timely response to the final Office Action dated May 17, 2007. By this communication, claims 1, 3, 5-6, 10, and 13 are amended. Claims 1-7 and 9-16 remain pending. Reconsideration and allowance of all pending claims are respectfully requested.

In numbered paragraph 3 on page 2 of the Office Action, claims 1-7 and 9-16 are rejected under 35 U.S.C. §103(a) as unpatentable over *Herz et al* (U.S. Patent No. 6,571,279) in view of *Esposito* (U.S. Patent No. 6,101,496), and further in view of *Metzdorff et al* (U.S. Patent No. 5,087,916). Applicant respectfully traverses this rejection.

As shown in Figures 1-3, exemplary embodiments are directed to a system and method in which at least one sensor detects a position at which a person or object is located. The sensor acquires the positional data with respect to a corresponding reference system that defines the position of the person or object in coordinates or dimensional values. The positional data acquired by each sensor is transformed into a location representing form by a sensor adaptor. The sensor adaptor transforms the sensor detected locations from the reference system associated with the respective sensor into a single, uniform reference system. The transformed location representing forms are combined in a location set, which includes identifying a distance relationship and a hierarchical relationship between each location, person, or object in the location set.

Applicant's claims 1 and 13 broadly encompass the foregoing features by reciting, among other elements, transforming sensor detected positional data into corresponding location representing forms using at least one sensor adaptor which establishes a single reference system, within which position data of a plurality of person specific and object specific locations being spatially attributed and associates with the hierarchical structure.

Applicant respectfully submits that the *Herz*, *Esposito*, or *Metzdorff* patents when applied individually or in the combination relied upon by the Examiner, fail to disclose or suggest every element recited in Applicant's claims. With respect to Applicant's claimed transforming feature, the Examiner alleges that because this feature involves an edit/change/matching of data from a different location of data, it is not necessary to perform a transformation step. Applicant disagrees.

As recited in claims 1 and 13, each sensor that detects positional data for at least one of the plurality of person specific or object specific locations has an associated reference system. Because each of these reference systems is a different reference system the sensor adaptor transforms the detected positional data of each corresponding sensor to a single reference system. Based upon Applicant's disclosure, one of ordinary skill would reasonably understand that data detected based on geometric and symbolic reference systems, for example, would require processing that entails more than mere editing, changing, or matching techniques, as the Examiner alleges, to transform the data from one or both of the geometric and symbolic reference systems into data of a single reference system. As a result, the Examiner's position is conclusory at best.

Neither the *Herz* nor *Esposito* patent disclose a system or technique in which a first location is detectable by a first sensor having a first reference system and a second location is detectable by a second sensor having a second reference system. The *Herz* patent, for example, discloses that the location identifier provides a means of sensing the presence of a user terminal in a geographic vicinity of an information delivery system. If a user is detected, an inference is made and used to index a user profile associated with the user (col. 8, lines 7-23). Without any evidence to the contrary, it appears that both the user's position and the position of the information sensor are defined in the context of the same reference system,

thus the *Herz* patent neither suggests nor requires the transformation of positional data as recited in Applicant's claims.

The *Esposito* patent discloses a process of geo-coding in which a raw data address is matched to a specific library street address, or if unsuccessful, to an ever decreasing precision geographic hierarchy point, line, or region geography, until a predetermined tolerance for an acceptable match is met (col. 1, line 51-57). One of ordinary skill would recognize that this geo-coding technique, which involves a matching operation, is not analogous to the transformation feature recited in Applicant's claims. Particularly, because the *Esposito* patent matches data values that are based on the same reference system (street addresses), which makes transformation of data values to be matched unnecessary.

In summary, the *Herz*, *Esposito*, and *Metzdorff* patents when applied individually or in the combination relied upon by the Examiner fail to disclose every element recited in Applicant's claims. These references fail to teach or suggest at least transforming sensor detected positional data into corresponding location representing forms using at least one sensor adaptor which establishes a single reference system from the first and second reference systems. For these reasons and those discussed above, a *prima facie* case of obviousness has not been established. Applicant respectfully requests withdrawal of this rejection.

Based on at least the foregoing amendments and remarks, Applicant believes that claims 1-7 and 9-16 are allowable and this application is in condition for allowance. Accordingly, Applicant requests favorable review of the claims. In the event any issues remain, the Examiner is invited to contact the undersigned attorney.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 17, 2007

By: 

Patrick C. Keane

Registration No. 32858

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620